

SUBCHAPTER A—GENERAL

PART 100—SCOPE AND DEFINITIONS (2 U.S.C. 431)

Sec.

Subpart A—General Definitions

- 100.1 Scope.
- 100.2 Election (2 U.S.C. 431(1)).
- 100.3 Candidate (2 U.S.C. 431(2)).
- 100.4 Federal office (2 U.S.C. 431(3)).
- 100.5 Political committee (2 U.S.C. 431 (4), (5), (6)).
- 100.6 Connected organization (2 U.S.C. 431(7)).
- 100.7–100.8 [Reserved]
- 100.9 Commission (2 U.S.C. 431(10)).
- 100.10 Person (2 U.S.C. 431(11)).
- 100.11 State (2 U.S.C. 431(12)).
- 100.12 Identification (2 U.S.C. 431(13)).
- 100.13 National committee (2 U.S.C. 431(14)).
- 100.14 State committee, subordinate committee, district, or local committee (2 U.S.C. 431(15)).
- 100.15 Political party (2 U.S.C. 431(16)).
- 100.16 Independent expenditure (2 U.S.C. 431(17)).
- 100.17 Clearly identified (2 U.S.C. 431(18)).
- 100.18 Act (2 U.S.C. 431(19)).
- 100.19 File, filed or filing (2 U.S.C. 434(a)).
- 100.20 Occupation (2 U.S.C. 431(13)).
- 100.21 Employer (2 U.S.C. 431(13)).
- 100.22 Expressly advocating (2 U.S.C. 431(17)).
- 100.23 [Reserved]
- 100.24 Federal election activity (2 U.S.C. 431(20)).
- 100.25 Generic campaign activity (2 U.S.C. 431(21)).
- 100.26 Public communication (2 U.S.C. 431(22)).
- 100.27 Mass mailing (2 U.S.C. 431(23)).
- 100.28 Telephone bank (2 U.S.C. 431(24)).
- 100.29 Electioneering communication (2 U.S.C. 434(f)(3)).
- 100.30–100.32 [Reserved]
- 100.33 Personal funds.
- 100.34–100.50 [Reserved]

Subpart B—Definition of Contribution (2 U.S.C. 431(8))

- 100.51 Scope.
- 100.52 Gift, subscription, loan, advance or deposit of money.
- 100.53 Attendance at a fundraiser or political event.
- 100.54 Compensation for personal services.
- 100.55 Extension of credit.
- 100.56 Office building or facility for national party committees.
- 100.57 Funds received in response to solicitations.

Subpart C—Exceptions to Contributions

- 100.71 Scope.
- 100.72 Testing the waters.
- 100.73 News story, commentary, or editorial by the media.
- 100.74 Uncompensated services by volunteers.
- 100.75 Use of a volunteer's real or personal property.
- 100.76 Use of church or community room.
- 100.77 Invitations, food, and beverages.
- 100.78 Sale of food or beverages by vendor.
- 100.79 Unreimbursed payment for transportation and subsistence expenses.
- 100.80 Slate cards and sample ballots.
- 100.81 Payment by corporations and labor organizations.
- 100.82 Bank loans.
- 100.83 Brokerage loans and lines of credit to candidates.
- 100.84 Office building for State, local, or district party committees or organizations.
- 100.85 Legal or accounting services to political party committees.
- 100.86 Legal or accounting services to other political committees.
- 100.87 Volunteer activity for party committees.
- 100.88 Volunteer activity for candidates.
- 100.89 Voter registration and get-out-the-vote activities for Presidential candidates.
- 100.90 Ballot access fees.
- 100.91 Recounts.
- 100.92 Candidate debates.
- 100.93 Travel by airplane or other means of transportation.
- 100.94 Uncompensated Internet activity by individuals that is not a contribution.

Subpart D—Definition of Expenditure (2 U.S.C. 431(9))

- 100.110 Scope.
- 100.111 Gift, subscription, loan, advance or deposit of money.
- 100.112 Contracts, promises, and agreements to make expenditures.
- 100.113 Independent expenditures.
- 100.114 Office building or facility for national party committees.

Subpart E—Exceptions to Expenditures

- 100.130 Scope.
- 100.131 Testing the waters.
- 100.132 News story, commentary, or editorial by the media.
- 100.133 Voter registration and get-out-the-vote activities.
- 100.134 Internal communication by corporations, labor organizations, and membership organizations.

§ 100.1

11 CFR Ch. I (1–1–08 Edition)

- 100.135 Use of a volunteer's real or personal property.
- 100.136 Use of church or community room.
- 100.137 Invitations, food, and beverages.
- 100.138 Sale of food or beverages by vendor.
- 100.139 Unreimbursed payment for transportation and subsistence expenses.
- 100.140 Slate cards and sample ballots.
- 100.141 Payment by corporations and labor organizations.
- 100.142 Bank loans.
- 100.143 Brokerage loans and lines of credit to candidates.
- 100.144 Office building for State, local, or district party committees or organizations.
- 100.145 Legal or accounting services to political party committees.
- 100.146 Legal or accounting services to other political committees.
- 100.147 Volunteer activity for party committees.
- 100.148 Volunteer activity for candidate.
- 100.149 Voter registration and get-out-the-vote activities for Presidential Candidates.
- 100.150 Ballot access fees.
- 100.151 Recounts.
- 100.152 Fundraising costs for Presidential candidates.
- 100.153 Routine living expenses.
- 100.154 Candidate debates.
- 100.155 Uncompensated Internet activity by individuals that is not an expenditure.

AUTHORITY: 2 U.S.C. 431, 434, and 438(a)(8).

SOURCE: 45 FR 15094, Mar. 7, 1980, unless otherwise noted.

Subpart A—General Definitions

§ 100.1 Scope.

This subchapter is issued by the Federal Election Commission to implement the Federal Election Campaign Act of 1971 (Pub. L. 92-225), as amended by Public Law 93-443, Public Law 94-283, Public Law 95-216, and Public Law 96-187.

§ 100.2 Election (2 U.S.C. 431(1)).

(a) *Election* means the process by which individuals, whether opposed or unopposed, seek nomination for election, or election, to Federal office. The specific types of elections, as set forth at 11 CFR 100.2 (b), (c), (d), (e) and (f) are included in this definition.

(b) *General election*. A general election is an election which meets either of the following conditions:

(1) An election held in even numbered years on the Tuesday following the

first Monday in November is a general election.

(2) An election which is held to fill a vacancy in a Federal office (i.e., a special election) and which is intended to result in the final selection of a single individual to the office at stake is a general election. See 11 CFR 100.2(f).

(c) *Primary election*. A primary election is an election which meets one of the following conditions:

(1) An election which is held prior to a general election, as a direct result of which candidates are nominated, in accordance with applicable State law, for election to Federal office in a subsequent election is a primary election.

(2) An election which is held for the expression of a preference for the nomination of persons for election to the office of President of the United States is a primary election.

(3) An election which is held to elect delegates to a national nominating convention is a primary election.

(4) With respect to individuals seeking federal office as independent candidates, or without nomination by a major party (as defined in 26 U.S.C. 9002(6)), the primary election is considered to occur on one of the following dates, at the choice of the candidate:

(i) The day prescribed by applicable State law as the last day to qualify for a position on the general election ballot may be designated as the primary election for such candidate.

(ii) The date of the last major party primary election, caucus, or convention in that State may be designated as the primary election for such candidate.

(iii) In the case of non-major parties, the date of the nomination by that party may be designated as the primary election for such candidate.

(5) With respect to any major party candidate (as defined at 26 U.S.C. 9002(6)) who is unopposed for nomination within his or her own party, and who is certified to appear as that party's nominee in the general election for the office sought, the primary election is considered to have occurred on the date on which the primary election was held by the candidate's party in that State.